

STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Tong Yin)  
MEETING DATE: February 13, 2008

**ITEM**                    **7**

**SUBJECT:**            **Hanson Aggregates Marine Operations, Waterfront Road and Marina Vista Sand Reclamation Facilities, Martinez, Contra Costa County - Rescission of NPDES Permit and WDRs**

**CHRONOLOGY:**    April 1996 – Waterfront Road facility permit reissued  
                          October 2001 – Marina Vista facility permit reissued

**DISCUSSION:**    Hanson Aggregates Marine Operations owns two sand reclamation facilities in Martinez: one at Marina Vista Avenue and one at Waterfront Road. The Waterfront Road facility is not currently in operation. The Marina Vista facility hydraulically dredges an average of 2,000 tons per day of sand from certain locations in the Bay. The sand-water mixture is hydraulically offloaded through a pipeline at the facility for sand recovery. The transport water drained from the sand is routed through a series of settling ponds to remove solids. Hanson’s discharges from these facilities can be covered by the General Permit being considered (Item 6); therefore, these individual permits are no longer necessary.

We revised the tentative order that was distributed for public comment in response to comments we received from Hanson (Appendix B). All revisions are reflected in the attached Revised Tentative Order (Appendix A). As explained in the response to comments (Appendix C), we have resolved all concerns.

**RECOMMEN-  
DATION:**            Adoption of the Revised Tentative Order

**FILE NUMBER:**    2119.1112, 2119.1123

**APPENDICES:**    A. Revised Tentative Order  
                          B. Comment Letter  
                          C. Response to Comments

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION**

**Revised Tentative Order**

**ORDER NO. R2-2008-XXXX**

**RESCISSION OF WASTE DISCHARGE REQUIREMENTS FOR  
HANSON AGGREGATES MARINE OPERATIONS  
WATERFRONT ROAD AND MARINA VISTA SAND RECLAMATION FACILITIES  
MARTINEZ, CONTRA COSTA COUNTY**

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter "Regional Water Board") finds that:

1. Hanson Aggregates Marine Operations (hereinafter "Discharger") owns a sand reclamation facility located at 200 Waterfront Road, Martinez, Contra Costa County (hereinafter "Waterfront Road Facility"), which is currently not in operation. The Discharger also owns and operates a sand reclamation facility located at 1725 Marina Vista Avenue, Martinez, Contra Costa County (hereinafter "Marina Vista Facility").
2. The Waterfront Road Facility can hydraulically dredge up to 250,000 cubic yards of sand annually from nearby permitted locations in San Francisco Bay. The sand-water mixture can be hydraulically unloaded through a pipeline at the facility for sand recovery.
3. The Marina Vista Facility hydraulically dredges an average of 2,000 tons per day of sand from various permitted locations in San Francisco Bay, including Carquinez Strait. The sand-water mixture is hydraulically unloaded through a pipeline at the facility for sand recovery. The transport water drained from the sand is clarified by routing it through a series of six settling ponds to remove solids.
4. On April 17, 1996, the Regional Water Board adopted Order No. 96-055 for the Waterfront Road Facility, reissuing waste discharge requirements for discharging drained San Francisco Bay water from the Waterfront Road Facility into the adjacent Suisun Bay tidal marsh.
5. On October 17, 2001, the Regional Water Board adopted Order No. 01-112, reissuing NPDES Permit No. CA0028321 for the discharge from Marina Vista Facility. This permit covers the discharge of clarified drained San Francisco Bay water into the adjacent Suisun Bay tidal marsh.
6. Order No. 01-112 expired on October 16, 2006, and was administratively extended.

7. The Regional Water Board reissued General Permit No. CAG982001 through Order No. R2-2008-XXXX. This General Permit regulates discharges from aggregate mining, sand washing, and sand offloading facilities. All dischargers eligible for this General Permit may file a Notice of Intent to obtain coverage.
8. The Discharger's operations and discharges from the Marina Vista Facility qualify for General Permit coverage.
9. Pursuant to USEPA's determination, the discharges from the Waterfront Road Facility are subject to NPDES regulations. Therefore, the discharges qualify for General Permit coverage.
10. Storm water discharges from the Discharger's Facilities can be or are covered by the statewide permit for storm water discharges associated with industrial activities (NPDES General Permit No. CAS000001, Order No. 97-03-DWQ).
11. Because the storm water discharge can be or is being covered by an existing permit, and because the bay return flow discharge can be covered by the General Permit, the existing individual permit is unnecessary, and Order Nos. 96-055 and 01-112 may be rescinded.

IT IS HEREBY ORDERED, pursuant to the provisions of the California Water Code (Division 7) and the regulations, plans, and policies adopted thereunder, that:

1. The Discharger shall file a Notice of Intent for coverage under General Permit No. CAG982001 (Order No. R2-2008-xxxx) for the Marina Vista Facility by April 1, 2008.
2. Order No. 96-055 shall be rescinded effective May 1, 2008.
3. Order No. 01-112 shall be rescinded upon effective coverage under the General Permit, Order No. R2-2008-XXXX.

I, Bruce H. Wolfe, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Region, on \_\_\_\_\_, 2008.

\_\_\_\_\_  
Bruce H. Wolfe  
Executive Officer



Hanson Aggregates West Region  
3000 Busch Road  
Pleasanton, CA 94566-8403

October 31, 2007

Dr. Tong Yin  
California Regional Water Quality Control Board  
San Francisco Bay Region  
1515 Clay Street  
Oakland, California 94612

Subject: **Hanson Aggregates Marine Operations' Comments & Questions:  
Tentative Order for Rescinding Waste Discharge Requirements (WDR)  
for Hanson Aggregates Marine Operations' locations at Marina Vista  
and Waterfront Road**

Dear Dr. Yin,

The Regional Water Quality Control Board has submitted the Tentative Order for Rescinding Waste Discharge Requirements for Hanson Aggregates Marine Operations, Marina Vista and Waterfront Road Sand Reclamation Facilities for public comment on October 1, 2007. The comment period ends on November 1, 2007. Please find Hanson Aggregates Mid-Pacific Inc., Marine and Aggregate Operations (Hanson) comments as follow:

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**RWQCB item 7 states:**

*"The Regional Water Board reissued General Permit No. CAG982001 through Order No. R2-2007-XXXX.*

**Hanson's Comments & Questions –**

This sentence is worded in the past tense, "reissued". The permit has not been issued.

What is the Board's schedule for adopting a new permit?

Hanson is concerned about the timing of this proposed action as it relates to the reissuance of the new General Permit for Discharges from Aggregate Mining, Sand Washing, and Sand Offloading Facilities to Surface Waters, NPDES Permit No. CAG982001. Any rescission of the waste discharge requirements for the Marina Vista and Waterfront Rd. facilities rescissions must coincide with the adoption of the new general permit and the length of time allowed for permittees to obtain coverage under it. Without the new general permit in force at the same time that these waste discharge requirements are rescinded, Marina Vista and Waterfront Road would have no permit coverage and be forced out of business.

**Hanson Aggregates Marine Operations' Comments on Tentative Order for Rescinding Waste Discharge Requirements for Hanson Aggregates Marine Operations, Marina Vista and Waterfront Road Sand Reclamation Facilities**

October 31, 2007

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**RWQCB item 1 under IT IS HEREBY ORDERED states:**

*"The Discharger shall file a Notice of Intent for coverage under General Permit No. CAG982001 (Order No. R2-2007-xxxx) for the Marina Vista Facility by December 1, 2007.*

**Hanson's Comment –**

The notice states to file an NOI for Marina Vista, but does not include Waterfront Rd. Should an NOI be filed for the Waterfront Road facility?

Should the NOI in the un-issued general permit be used?

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**RWQCB item 2 under IT IS HEREBY ORDERED states:**

*"Order Nos. 96-055 and 01-112 shall be rescinded effective January 1, 2008."*

**Hanson's Comment –**

As discussed above, rescission of the WDRs should coincide with the adoption of the new general permit. The Board should extend coverage under the existing WDRs until the time that the Board acts on the General Permit and Hanson comes under its coverage, provided that Hanson submits a timely Notice of Intent

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Please contact me if you have any questions.

Sincerely,



Lee Cover  
Environmental Manager  
Hanson Aggregates Northern California

cc: Bill Butler, Hanson Aggregates Northern California  
Michael Bishop, Hanson Marine Operations  
Jim Wallmann, Hanson Building Materials of America

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

**Response to Written Comments**  
**On September 2007 Draft Order for Rescinding Waste Discharge Requirements**  
**(WDR) for Hanson Aggregates Marine Operations' locations at Marina Vista**  
**and Waterfront Road**

The Regional Water Board received written comments on the draft rescission order distributed on September 27, 2007, for public comment from Hanson Aggregates Mid Pacific Inc., dated October 31, 2007.

This Response to Comments summarizes each comment in *italics* (quoted where possible, or paraphrased for brevity) followed by Regional Water Board staff's response. For the full context and content of the comment, please refer to the comment letter associated with this item available at [www.waterboards.ca.gov](http://www.waterboards.ca.gov).

**Comment 1.** *Hanson questions the word and its tense "reissued." "The General permit has not been issued. What is the Board's schedule for adopting a new permit? Hanson is concerned about the timing of this proposed action as it relates to the reissuance of the new General Permit for Discharges from Aggregate Mining, Sand Washing, and Sand Offloading Facilities to Surface Waters, NPDES Permit No. CAG982001. Any rescission of the waste discharge requirements for the Marina Vista and Waterfront Rd. facilities rescissions must coincide with the adoption of the new general permit and the length of time allowed for permittees to obtain coverage under it. Without the new general permit in force at the same time that these waste discharge requirements are rescinded, Marina Vista and Waterfront Road would have no permit coverage and be forced out of business."*

**Response to Comment 1.** Both the draft rescission order and the draft General Permit for Aggregate Mining and Sand Washing/Offloading Facilities will be considered at the February 13, 2008, Board hearing. The General Permit will be heard first. Regional Water Board staff has revised the draft rescission order to include new dates when Order Nos. 96-055 and 01-112 are effectively rescinded. For Order No. 96-055, the new rescission effective date will be May 1, 2008. Order No. 01-112 will be rescinded upon the effective coverage under the new General Permit. The revised draft order requires the Discharger to submit an Notice of Intent (NOI) for its Marina Vista Facility by April 1, 2008. Regional Water Board staff anticipates taking approximately 30 days to process the NOI.

**Comment 2.** *The draft rescission order directs Hanson to file an NOI for Marina Vista, but does not include Waterfront Rd. Hanson asked whether an NOI should be filed for the Waterfront Road facility and whether the NOI in the un-issued general permit should be used.*

**Response to Comment 2.** Since the Waterfront Road facility is not currently in operation, Hanson does not necessarily need a permit for it. If Hanson plans to resume operation at the facility, Hanson will need to submit an NOI 30 days before planned operation. If the NOI is prepared after the adoption of the new General Permit, then the NOI requirements in the new General Permit should apply.

**Comment 3.** *The draft rescission order states “Order Nos. 96-055 and 01-112 shall be rescinded effective January 1, 2008.” Hanson requests that the Board extend coverage under the existing WDRs until the time that the Board acts on the General Permit and Hanson comes under its coverage, provided that Hanson submits a timely Notice of Intent.*

**Response to Comment 3.** See **Response to Comment 1** above.